

**FILED**  
ASHEVILLE, N. C.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SEP 12 2005

IN RE: ASBESTOS PRODUCTS LIABILITY )  
LITIGATION (NO. VI) )

CIVIL ACTION NO. ~~MDL 875~~ DISTRICT COURT  
W. DIST. OF N. C.

This Document Relates to: ) USDC-WDNC

STEVE E. ASHE, et al., ) FILE NO. 1:99-CV-268-T

Plaintiffs, )

v. )

ACandS, INCORPORATED, et al., )

Defendants. )

ORDER OF DISMISSAL

This matter is before the Court upon Motion of the plaintiffs, Thomas B. Heaton, Jr. and Ella Mae P. Heaton, to voluntarily dismiss this action as to defendant Industrial Holdings Corporation (hereinafter "Industrial Holdings") only, pursuant to Rule 41 of the Federal Rules of Civil Procedure.

It appearing that grounds exist to permit plaintiffs to voluntarily dismiss this action with prejudice as to defendant Industrial Holdings, the Court concludes that this motion should be granted.

It is therefore ORDERED, ADJUDGED AND DECREED that the action of plaintiffs against defendant Industrial Holdings only, be dismissed with prejudice.

This the 24<sup>th</sup> day of August, 2005.



Charles R. Weiner  
U.S. District Court Judge